

By: Thompson of Harris, Craddick, Buckley,
et al.

H.J.R. No. 135

Substitute the following for H.J.R. No. 135:

By: Kuempel

C.S.H.J.R. No. 135

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the
2 establishment of the Mental Health and Brain Research Institute of
3 Texas and establishing the Mental Health and Brain Institute
4 Research Fund for the purposes of scientific research of all forms
5 of mental health and human brain disease and disorders.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Article III, Texas Constitution, is amended by
8 adding Section 68 to read as follows:

9 Sec. 68. (a) The legislature shall establish the Mental
10 Health and Brain Research Institute of Texas to:

11 (1) award grants to institutions of learning, advanced
12 medical research facilities, public or private persons, and
13 collaborations in this state to provide funds for:

14 (A) research into the causes of, means of
15 prevention of, and the treatment, rehabilitation, protocols, and
16 cures for:

17 (i) mental health and human brain-related
18 diseases, syndromes, disorders, dysfunctions, and injuries;

19 (ii) developmental issues;

20 (iii) neurological health issues;

21 (iv) behavioral health issues; and

22 (v) substance use disorders and other
23 addictions;

24 (B) research into other issues affecting mental

1 health and the human brain, including issues that directly or
2 indirectly affect or are affected by mental health or the brain or
3 brain health, such as the gut microbiome, nutrition, the spinal
4 cord, or the nervous system;

5 (C) facilities, equipment, supplies, salaries,
6 benefits, and other costs related to brain research;

7 (D) research, including translational research,
8 to develop therapies, protocols, medical pharmaceuticals, or
9 procedures for the cure or substantial mitigation of all types of
10 brain diseases and disorders; and

11 (E) prevention programs and strategies to
12 mitigate the incidence of detrimental health impacts on the brain;

13 (2) support institutions of learning and advanced
14 medical research facilities and collaborations in this state in all
15 stages of the process of:

16 (A) discovering the causes of all types of:

17 (i) mental and behavioral health issues;

18 (ii) human brain-related diseases,
19 syndromes, disorders, dysfunctions, and injuries;

20 (iii) developmental issues; and

21 (iv) neurological health issues;

22 (B) developing therapies, protocols, medical
23 pharmaceuticals, or procedures for the cure or substantial
24 mitigation of mental health and brain diseases and disorders from
25 laboratory research to clinical trials; and

26 (C) developing programs to address access to
27 advanced treatment of mental health and brain diseases or

1 disorders; and

2 (3) establish the appropriate standards and oversight
3 bodies to ensure the proper use of funding authorized under this
4 section for brain research and facilities development.

5 (b) The members of the governing body and any other
6 decision-making body of the Mental Health and Brain Research
7 Institute of Texas may serve six-year terms.

8 (c) The Mental Health and Brain Institute Research Fund is
9 established as a special fund in the state treasury outside the
10 general revenue fund to be administered by the institute.

11 (d) On January 1, 2024, the comptroller shall transfer \$3
12 billion from the general revenue fund to the Mental Health and Brain
13 Institute Research Fund. The transfer made under this subsection
14 is not an appropriation of state tax revenues for the purposes of
15 Section 22, Article VIII, of this constitution. This subsection
16 expires January 1, 2025.

17 (e) The Mental Health and Brain Institute Research Fund
18 consists of:

19 (1) money transferred to the fund under this section;

20 (2) money appropriated, credited, or transferred to
21 the fund by the legislature;

22 (3) gifts and grants, including grants from the
23 federal government, and other donations received for the fund;

24 (4) patent, royalty, and license fees and other income
25 received under a contract entered into by the Mental Health and
26 Brain Research Institute of Texas; and

27 (5) investment earnings and interest earned on amounts

1 credited to the fund.

2 (f) Notwithstanding any other provision of this
3 constitution, the Mental Health and Brain Research Institute of
4 Texas, as established by general law, may use money in the Mental
5 Health and Brain Institute Research Fund only for the purpose of
6 funding:

7 (1) grants in this state for mental health and brain
8 research, research facilities, and research opportunities in this
9 state to develop therapies, protocols, medical pharmaceuticals, or
10 procedures for the cure, substantial mitigation, or prevention of
11 brain diseases or disorders;

12 (2) grants for the prevention of mental and behavioral
13 health issues and substance use disorders and other addictions, and
14 brain disease and disorder prevention to mitigate the incidence of
15 all types of brain diseases or disorders in humans;

16 (3) the purchase, construction, or renovation,
17 subject to approval by the institute, of facilities by or on behalf
18 of a state agency or grant recipient; and

19 (4) the operation of the institute.

20 (g) Before the Mental Health and Brain Research Institute of
21 Texas may award a grant under this section, the recipient of the
22 grant must have an amount of funds equal to one-half the amount of
23 the grant dedicated to the research that is the subject of the grant
24 request.

25 (h) The reasonable expenses of managing the fund's assets
26 shall be paid from the fund.

27 SECTION 2. This proposed constitutional amendment shall be

1 submitted to the voters at an election to be held November 7, 2023.
2 The ballot shall be printed to permit voting for or against the
3 proposition: "The constitutional amendment requiring the creation
4 of the Mental Health and Brain Research Institute of Texas,
5 establishing the Mental Health and Brain Institute Research Fund to
6 provide funding for mental health and brain research in this state,
7 and transferring general revenue to that fund."